

SUDAN



One of the strongest commitments that can be made to the human right to water and the human right to sanitation is its clear, unequivocal articulation in a country's core laws. This fact sheet examines whether the country's core laws establish a human right to water and a human right to sanitation. We explore whether a right is explicitly stated in those core laws and whether the scope and parameters of right are described in the laws. Articulating a clear obligation is the starting point for implementing the human rights to water and sanitation at the country level.

Modest improvements in access to drinking water and sanitation have been achieved since 2000, but more is needed to achieve universal access by 2030. Sudan, located in north-eastern Africa, borders the Red Sea with a total area of approximately 1.9 million square kilometers and a population of more than 45 million people. The median age is 18.3 years. Sudan is currently undergoing a transition in governance. In August 2019, the ruling military council and civilian opposition alliance signed a power-sharing agreement. A Sovereignty Council was created consisting of six civilians and five generals. The Council is currently chaired by a general but will transition to civilian leadership in May 2021 until elections are held.

Sudan's population has grown since 2000. Rural populations have grown from 18.4 million people in 2000 to close 26.6 million people in 2017. Urban populations also grew from 8.9 million to 13.9 million during the same time frame. Significant gains have been made in access to at least basic sanitation and drinking water in both rural and urban communities between 2000 and 2017 in spite of the conflict with South Sudan during that time period.

By 2017, the most recent year of JMP data, 36.2 percent of rural people continued to practice open defecation. Comparatively, 1.7 percent of urban residents practiced open defecation. Rural populations saw a 27.7 percent decrease in open defecation and a 13.2 percent increase in the use of at least basic sanitation between 2000 and 2017. For urban areas, there was a 22.2 percent decline in the practice of open defecation and an increase of 19.6 percent in the use of at least basic sanitation between 2000 and 2017. At the same time, the number of people covered by at least basic sanitation rose from about 5.6 million people to about 14.8 million people, from 20.6 percent to 36.6 percent.

With respect to drinking water, by 2017, 19.3 percent of rural people continued to consume drinking water from unimproved sources or directly from surface waters such as lakes and rivers. Comparatively, only 1 percent of urban residents consumed drinking water from unimproved sources or directly from surface waters. Between 2000 and 2017, the consumption of drinking water from unimproved sources and directly from surface waters decreased by 27.2 percent in rural areas whereas in urban areas consumption decreased by 18.1 percent. In ur-

ban areas, there was a 13.5 percent increase in access to at least basic drinking water between 2000 and 2017. Between those years in rural areas, there was a 17.9 percent increase in access to at least basic services. In 2017, 60.3 percent of the population has access to at least basic drinking water, or 73.8 percent of the urban population and 53.2 percent of the rural population.

In the 2019 WHO GLAAS Report, Sudan inaccurately reported that the human rights to water and sanitation are both contained in its Constitution.

Sudanese law does not establish (human) rights to water or to sanitation. The law also does not establish a right to a clean and healthy environment. The Constitutional Charter for the 2019 Transitional Period does establish a right to life, dignity and personal safety for every person. Article 44.

Sudanese law does make all water resources public. The Water Resources Act states that the water is owned by the State and that the public has the right to use the water. Article 13. However, the law gives no preference nor creates special protections for domestic water uses. In fact, water withdrawn or used for the purpose of drinking requires a permit. Article 14. Therefore, even while the law does not recognize a right to water or a right to sanitation, the law also does not seem to take steps to realize greater access to water or to sanitation.

References

1. Constitutional Charter for the 2019 Transitional Period.
2. Water Resources Act, 1995.
3. Central Intelligence Agency (CIA), The World Factbook, Sudan.
4. World Health Organization, Joint Monitoring Program (JMP) Global Database available at <http://www.washdata.org>.